

RE: Inform / Google MDL

Sessions, Justina <jsessions@wsgr.com>

Fri 3/24/2023 12:20 PM

To: John Herman <jherman@hermanjones.com>;eric.mahr@freshfields.com
<eric.mahr@freshfields.com>

Cc: Serina Vash <svash@hermanjones.com>

John,

Google does not agree to reproduce its prior productions or to give Inform access to those productions. As you know, we have a motion to dismiss pending and we do not believe that Inform is entitled to any discovery unless the complaint proceeds. Inform is differently situated than the other MDL plaintiffs for several reasons, including that its prior complaint was dismissed and the current complaint has almost no overlap with the ad tech claims of other plaintiffs in the MDL.

Should any part of Inform's complaint survive Google's motion to dismiss, we will be glad to meet and confer at that time regarding discovery.

Regards,
Tina

From: John Herman <jherman@hermanjones.com>

Sent: Thursday, March 23, 2023 7:18 AM

To: eric.mahr@freshfields.com; Sessions, Justina <jsessions@wsgr.com>

Cc: Serina Vash <svash@hermanjones.com>

Subject: Re: Inform / Google MDL

EXT - jherman@hermanjones.com

Apologies - there was a typo in Tina's email address. Sending again.

On Mar 23, 2023, at 9:05 AM, John Herman <jherman@hermanjones.com> wrote:

Counsel - can you please let me know when you are available to meet and confer about this issue? I did not anticipate it would be controversial or require court intervention. Thank you.

On Mar 8, 2023, at 4:14 PM, John Herman <jherman@hermanjones.com> wrote:

I sent this email last week to John Schmittlein but have not yet received a response. Can you please let us know?

From: John Herman <jherman@hermanjones.com>
Date: March 3, 2023 at 2:58:00 PM EST
To: "Schmidtlein, John" <JSchmidtlein@wc.com>
Subject: Inform / Google MDL

John –

One housekeeping issue we wanted to raise. Rather than forcing Google to reproduce to Inform its prior productions in the MDL, can we reach an understanding that we –as Inform’s counsel – can access those same productions as we have for our other clients, subject to the terms of the Protective Order?

If you think we need to add Inform as a signatory to the PO just let us know.

Many thanks.

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